

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

October 25, 1999

A. CALL TO ORDER

The October 25, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Sheriff James A. Riley, DeSoto County Sheriff was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Jimmy James-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
David Armstrong-----County Administrator
James Albert Riley-----DeSoto County Sheriff
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Tommy Lewis.

C. OLD BUSINESS

1. Tax Collector Joey Treadway - Special Land Sale

Tax Collector Joey Treadway notified the Board of Supervisors that one piece of property known as parcel number 1065220100011701 was overlooked during the regular land sale and he needed approval to advertise the property for sale. Mr. Treadway said that he had spoken to Board Attorney Bill Austin and he advised that the property had to be sold per Section 27-41-65 the Mississippi Code. Supervisor Eugene Thach made a motion and Supervisor Jimmy James seconded the motion to authorize the Tax Collector to advertise the property for sale and hold the special land sale. The **motion passed** by a unanimous vote.

1. Petition to Adopt Russell Cove

Supervisor Tommy Lewis notified the Board of Supervisors that he had looked at Russell Cove and he did not see any reason not to adopt Russell Cove if the people donate the right of way, but does not recommend bringing it up to county standards. Supervisor Jimmy James made a motion and Supervisor Tommy Lewis seconded the motion to adopt Russell Cove contingent on obtaining the right of way from the landowners. The **motion passed** by a unanimous vote. The Board of Supervisors instructed the County Engineer to obtain legal descriptions and the Board Attorney to prepare the right of way documents.

ITEM C.3, CONTINUED,

J. L. M.

10/25/99

2. EMS - Contract with BellSouth Mobility

Vanessa Lynchard notified the Board of Supervisors that EMS Director Bobby Storey and Mike Hancock have been using the analog service on a trial basis and they both preferred the analog service over the digital service. Vanessa said that BellSouth Mobility is offering the analog service with the same plan as the digital service that the County is using. She said that EMS also received a full credit for the digital phones. Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to authorize EMS to change their cellular service from digital to analog service and to approve the contract with BellSouth Mobility at \$22.00 per month for 75 minutes with the telephone at \$19.99, but with a \$19.99 credit for the new phone.

The **motion passed** by a unanimous vote. ****See Exhibit C.3****

3. Census Update - Forbes Johnson

Forbes Johnson addressed the Board of Supervisors about the 2000 Census and gave a copy of a census time line to the Board. Mr. Johnson said currently there are 18 members on the Census Committee and that the committee needed to be more representative of African American and Hispanic population. Supervisor Eugene Thach asked if he had spoken to Mr. Tello about being on the committee. Mr. Forbes said that Mr. Tello would like to be on the committee but had a conflict with the date of the last meeting.

Mr. Johnson said that the 2000 Census forms will have prepaid return envelopes unlike the 1990 Census forms, which did not have prepaid postage. He said he hopes that this will make more people participate in the census. He said that the forms will also be available in 19 different languages.

County Administrator David Armstrong asked if the census is being paid by the federal government. Mr. Forbes said that it is all paid for by federal funds.

Mr. Johnson said that Mississippi needs to show an increase of 90,000 in the population since 1990 to ensure that the State will not lose a legislative seat. He said that the 2000 Census data has to be presented to the President by December 2000 and to the states by April 1, 2001.

Supervisor Tommy Lewis asked if each individual has to sign the census forms. Mr. Johnson said that he has not seen the census forms. Supervisor Jessie Medlin asked if both long and short forms will be sent to individuals. Mr. Johnson said that all households get the short form and one in six will get the long form. Supervisor Medlin asked what the County can do to help. Mr. Johnson said that the Board needed to keep advertising the importance of the census. ****See Exhibit C.4****

A. NEW BUSINESS

1. Agreement with MDOT to Construct a Road off Highway 304

Vanessa Lynchard notified the Board of Supervisors that at the request of Supervisor Tommy Lewis, she pulled the agreement with MDOT regarding the construction of a road off of Highway 304. Supervisor Lewis said that he asked Vanessa to pull the agreement because he had gotten a call from a landowner asking when the county was going to begin construction.

Vanessa said that the agreement states that the County will construct the connection between Tulane Road and Highway 304 to the north. Supervisor Lewis said that he thought the connection was also going to be to the south to Old Highway 304. Bill Bayne of the *Commercial Appeal* said that he also thought the connection was going to be towards the south. Supervisor John Caldwell said that the resolution states that MDOT will bear the

ITEM D.1, CONTINUED,

expense of connecting the road to south. Supervisor Caldwell said that the Board needed

10/25/99

J. L. M.

clarification of the resolution and also needed to start on right of ways. Supervisor Lewis also said that the County needs to get with the County Engineer and start on the right of ways after clarification of the agreement.

Board Attorney Bill Austin said that the County has to build the road or the County will not get an interchange.

Supervisor Jessie Medlin suggested getting a group together to go to Batesville to discuss the matter with Jimmy Dickerson of MDOT. Supervisor John Caldwell, Supervisor Tommy Lewis and Planning Director Merritt Powell agreed to attend the meeting. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to schedule a meeting with Jimmy Dickerson of MDOT to discuss the construction of a road off of Highway 304. The **motion passed** by a unanimous vote. ****See Exhibit D.1****

2. Sheriff’s Department - Making List of Unmarked Cars Part of the Minutes

In accordance with Section 19-25-15 of the Mississippi Code of 1972, as amended, which authorizes the DeSoto County Sheriff’s Department to use unmarked cars when such identifying marks will hinder official investigations, Supervisor Eugene Thach made the motion and Supervisor Jimmy James seconded the motion to approve the list of unmarked vehicles presented by the Sheriff’s Department. The **motion passed** by a unanimous vote. ****See Exhibit D.2****

3. Disposal of Property

Vanessa Lynchard presented an inventory disposal request from Metro Narcotics to dispose of a BellSouth bag phone that was left off of a previous inventory disposal after the county changed to digital service. Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded a motion to approve the disposal of Property Number 12006, Serial Number 827E9C41, a BellSouth bag phone. The **motion passed** by a unanimous vote. **** See Exhibit D.3.****

4. Request for Payment of Medical Expense

As authorized by Section 99-37-25 of the Mississippi Code and as recommended by Sherry Franks, Victim’s Assistance Coordinator in the District Attorney’s Office, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the reimbursement of medical expenses incurred by a victim as a result of a sexual assault which incurred in DeSoto County on April, 1999 with the reimbursement being paid directly to the victim in the amount of \$412.29. The **motion passed** by a unanimous vote. ****See Exhibit D.4.****

5. Request for Assistance - Horn Lake Middle School

Vanessa Lynchard presented a letter from Jerry Baird, Superintendent of DeSoto County Schools, with an attachment from Horn Lake Middle School Principal Barry Owen requesting that the County level the back area of the school and fill the gullies. Supervisor John Caldwell said that Road Manager Kenny Gunn will need to tell the Board how long it will take to do the work. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to authorize the Road Manager to fill in gullies at Horn Lake Middle School and for the Road Manager to inspect the back area of the school and report back to the Board of Supervisors. The **motion passed** by a unanimous vote. ****See Exhibit D.5****

ITEM D.6, CONTINUED,

6. Appointment of Receiving Clerks

Vanessa Lynchard notified the Board of Supervisors that Auditor Kelly McGee said that all

J. L. M.

10/25/99

outlying offices have to have their own Receiving Clerks. Vanessa said this will include the Tax Collector's Offices in Southaven and Olive Branch, Family and Children Services, and Youth Services. At the recommendation of Kelly McGhee, Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to appoint Nola Olson in the Olive Branch Tax Collector's Office, Debbie Jenkins in the Southaven Tax Collector's Office, Verri Richmond at Family and Children Services, and Stuart Stevens at Youth Services as Assistant Receiving Clerks. The **motion passed** by a unanimous vote.

Later in the meeting, Vanessa Lynchard informed the Board that a receiving clerk will also have to be appointed for Metro Narcotics. Supervisor Eugene Thach made a motion and Supervisor Tommy Lewis seconded the motion to appoint Deborah McCaulla as the Assistant Receiving Clerk for Metro Narcotics. The **motion passed** by a unanimous vote.

7. Approval to Declare Sole Source

a. Animal Control Box

Vanessa Lynchard presented a request from Clara Riley and Jeannine Ruby, Director of Purchasing, to declare an animal control box from Jones Trailer Company as a sole source. Vanessa said she had spoken to Board Attorney Bill Austin about this being a sole source and requested that the Board hold this issue over to make certain that this is a sole source. Supervisor Tommy Lewis made a motion and Supervisor Jimmy James seconded the motion to hold this issue over. The **motion passed** by a unanimous vote. ****See Exhibit D.7.a****

b. Chancery Court Reporter

Vanessa Lynchard notified the Board of Supervisors that Jeannine Ruby, Director of Purchasing received a letter from Stenograph declaring the equipment requested by the Chancery Court Reporters as a sole source. Vanessa said that she had talked with the Purchasing Department and checked on the Internet and said that the equipment, not the software is a sole source. Supervisor Tommy Lewis asked how much the court reporter equipment will cost. Vanessa said that she did not know yet because they wanted to wait to do the requisition after the Board approved the equipment as a sole source. Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve the court reporter equipment from Stenograph as a sole source subject to approval of the Board Attorney. The **motion passed** by a unanimous vote. ****See Exhibit D.7.b****

8. NRCS to Rip Rap a Ditch: County Approval to Obtain a ROW and Maintain

Supervisor Tommy Lewis informed the Board that he asked to have this on the agenda. Supervisor Lewis said that he had talked to Wade Carter of Soil and Water Conservation about rip rapping the ditch and creek area at 641 Slocum Road and a ditch on Hudson Road. He said that Natural Resources Conservation Service agreed to do the work and that the Board needed to approve it. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to obtain the right of way and maintain the area at 641 Slocum and Hudson Road, and to have County Engineer Daniel Murphey give a description of the right of way. The **motion passed** by a unanimous vote.

ITEM D.9, CONTINUED,

9. Tax Collector - Surrendered License Plates

In accordance with Section 27-19-31 of the Mississippi Code, Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to accept the listing of

10/25/99

J. L. M.

surrendered license plates for the period from December 1, 1998 through September 30, 1999 into the minutes as presented by Tax Collector, Joey Treadway. The **motion passed** by a unanimous vote. ****See Exhibit D.9****

10. Budget Amendment - Justice Court

Larry Woods, Director of Data Processing informed the Board that Justice Court is requesting a budget amendment to purchase its own AS400 system. He said that Justice Court will no longer have to pay for the lease line if they buy their own system, which will save approximately \$4,800.00 a year. He said that due to the increase in the Justice Court caseload, more controls and terminals are needed. County Administrator David Armstrong said that the new system will also serve as a backup system if power is lost.

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the fiscal year beginning October 1, 1999, and ending September 30, 2000. At the recommendation of Larry Woods, Director of Data Processing, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the budget amendment for Justice Court under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-166-502	Phones	\$ 2,000.00
Increase	001-166-936	Computer Equipment	\$ 2,000.00

The **motion passed** by a unanimous vote. ****See Exhibit D.10****

11. Accepting Closeout Package of CDBG Project #6-090-PF-01

Vanessa Lynchard notified the Board of Supervisors that the Certificate of Completion for the Nesbit Water Project, CDBG Project #6-090-PF-01, had been received and needed to be accepted into the minutes. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to make the Certificate of Completion for CDBG Project #6-090-PF-01 a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit D.11****

12. Approval to Travel - Waggoner Engineering/Austin Law Firm/BOS

Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve travel for the Board of Supervisors, WEA/EAI, and the Austin Law Firm to Atlanta, Georgia on October 28, 1999 to attend an EPA meeting and authorized the clerk to write the checks for travel. The **motion passed** by a unanimous vote.

13. Roads - Request to Take in a Road North of Goodman Road

Supervisor Jessie Medlin informed the Board that he received a petition requesting that the County take in a road north of Goodman Road. Supervisor John Caldwell made the motion, and Supervisor Jimmy James seconded the motion to appoint a committee of Supervisor John Caldwell and Supervisor Eugene Thach to inspect Goodman Road and to hold this issue over pending recommendations by the committee to take in a road north of Goodman Road. The **motion passed** by a unanimous vote. ****See Exhibit D.13****

ITEM D.14, CONTINUED,

14. Approval for Board President to Sign Cooperative Agreement for Tobacco Grant

Vanessa Lynchard notified the Board of Supervisors that the Sheriff’s Department had received the Cooperative Agreement for the Tobacco Grant for the Board to authorize the

Board President to sign. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to authorize the Board President to sign the Cooperative Agreement for the Tobacco Grant. The **motion passed** by a unanimous vote. ****See Exhibit D.14****

E. EXECUTIVE

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

F. OTHER ISSUES

1. Historical Preservation

Supervisor John Caldwell informed the Board that he had given Planning Director Merritt Powell information he received from the State Historical Preservation. Supervisor Caldwell said that Merritt Powell will review the information with staff and let the Board know what else needs to be done to come up with a definition of a preservation and/or a conservation area.

1. Civil Defense

T. H. Walker, Director of Civil Defense, presented two reimbursement checks to the Board of Supervisors for the alert systems installed in the schools last year. Supervisor Jimmy James made the motion and Supervisor Eugene Thach seconded the motion to accept the reimbursement checks for the school alert systems. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Jimmy James	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

1. Bass Landing Boat Ramp

Road Manager Kenny Gunn informed the Board of Supervisors that the boat ramp at Bass Landing was completed and that the Corps of Engineers will do the rip rap on the boat ramp. Mr. Gunn said that Wildlife Preservation may reimburse the County for the materials and labor on the boat ramp.

Supervisor Jimmy James said that the Board needed to request that the Sheriff send patrol units to help alleviate the dumping problem at Bass Landing.

2. Approval of Cellular Phones for Central Maintenance

Road Manager Kenny Gunn requested approval from the Board of Supervisors for cellular phones for the personnel who get called out at nights and on weekends. Mr. Gunn said that he had spoken to Vanessa Lynchard about the cost of the phones. Vanessa said that the cellular phones would cost \$20.00 to \$30.00 and the monthly service for both digital or analog service is around \$33.00. Mr. Gunn said that they would probably get digital service because he has not had any problems with his digital service. Mr. Gunn said that he wants six phones, one for the Assistant Road Manager and the other five for the foremen. Supervisor John Caldwell made

ITEM F.4, CONTINUED,

the motion and Supervisor Tommy Lewis seconded the motion to approve entering into cellular phone contracts with BellSouth for the Assistant Road Manager and for five foremen. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin informed Kenny Gunn that if usage of the phones gets to be excessive, they will be taken away and that they will have to pay for any personal calls made on the cell phones. Supervisor Eugene Thach said that the first option of communication for the workers should be the radio and the phones should only be used in an emergency.

3. Maintenance of State Highways

Road Manager Kenny Gunn informed the Board of Supervisors that the State is not responding to calls for assistance on state highways. Mr. Gunn asked how the Board wanted him to handle the matter. The Board said that Mr. Gunn should use his own judgement when calls are received requesting maintenance on state highways.

Supervisor John Caldwell said that the County has authority to work on state highways. Board Attorney Bill Austin said that he will have someone research the issue to make certain that the County can maintain the state highways. Mr. Austin said that when complaints are received, the Road Manager should report them to the State and if the State does not do anything within a reasonable amount of time, make a notation on the complaint that the State failed to respond to the complaint.

Supervisor Jessie Medlin informed the Road Manager Kenny Gunn that the log he asked to be removed in front of College Road is still there and asked again that it be removed.

Later in the meeting, Board Attorney Bill Austin informed the Board that Attorney Tony Nowak had researched the issue and per Section 65-7-81 of the Mississippi Code, the county can maintain state highways.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to adjourn until November 1, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 25th day of October, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie L. Medlin, President
DeSoto County Board of Supervisors